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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,726	08/28/2001	Rafael Storz	016790-0432	2703
22428	7590	04/16/2004	EXAMINER	
FOLEY AND LARDNER SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			FULLER, RODNEY EVAN	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 04/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No. 09/939,726	Applicant(s) STORZ ET AL.	
	Examiner Rodney E Fuller	Art Unit 2851	

All participants (applicant, applicant's representative, PTO personnel):

(1) Rodney E Fuller. (3)_____.

(2) Martin Cosenza. (4)_____.

Date of Interview: 13 April 2004.

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☒ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____.

Claim(s) discussed: 1,4 and 6-8.

Identification of prior art discussed: Karpol, et al. (US 6,369,888) and Podoleanu, et al. (US 5,975,697).

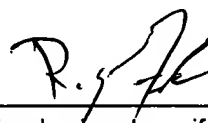
Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Rodney Fuller
Primary Examiner



Examiner's signature, if required

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Regarding claim 1, the applicant amended the claim to include the limitation of a microscope. The examiner maintains that Karpol teaches a confocal microscope, even though it does not expressly use the term "microscope." Regarding claim 4, the applicant argues that Karpol does not utilize a modulator that is either a mirror, a lens or a beam splitter. The examiner acknowledges that Karpol teaches the use of only an acousto-optic or electro optic modulator and not a mirror, a lens or a beam splitter a modulator. However, the examiner noted that Podoleanu discloses the use of different types of modulators to modify the phase angle of the light. Therefore, Podoleanu may after review provide an obvious rejection. Regarding claim 6, the examiner acknowledges that the modulator is not moved in Karpol. However, the examiner maintains a control element must be used with a modulator. Regarding claim 7, the examiner acknowledges that Karpol does not use a piezo element. However Podoleanu discloses the use of a piezo element as a modulator. Regarding claim 8, the examiner acknowledges that Karpol does not teach wherein the modulator influences the laser light source.